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20231-on

Date July 16, 1999

by Kay Bulen
Signature

Kay Bulen
Printed name

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Kevin J. Tracey et al.

Serial No.: 09/118,388

Filed: 17 July 1998

For: COMPOUNDS AND COMPOSITIONS FOR TREATING TISSUE ISCHEMIA

Examiner: R. Gerstl

Art Unit: 1613

Docket No.: 1101

Date: 16 July 1999

Assistant Commissioner for Patents
Attention: Office of Petitions
Box DAC
Washington, DC 20231

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This is in response to a restriction requirement dated 17 November 1998. Kindly extend the time for response four months. A Request for a Four Month Extension of Time is provided.

Kindly amend the above identified patent application as follows:

IN THE CLAIMS:

Kindly cancel claims 26 and 27 in view of the restriction requirement.

Applicants elect Group I claims 1-21 with traverse.

With regard to the traversal, applicants note that claims 1-21 are drawn to both a novel genus of compounds (formula I) but also to a method of treating diseases using a compound of formula I. Group II (claims 22-25) claims the same method as claims 15-21 but using a different genus of compounds (formula II). Therefore, the characterization is incorrect in that both groups I and II claim the same method of treatment. Moreover, claims 1-21 could be amended to include compounds from formula I or formula II in the method of treatment claims to obviate this restriction.